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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,803	06/23/2000	Edward A. Hubbard	UNTD:011	2640

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EXAMINER

SHAH, NILESH R

ART UNIT	PAPER NUMBER
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2127

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/602,803

Applicant(s)

HUBBARD, EDWARD A.

Examiner

Nilesh R Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 23-30 are presented for examination.

Drawings

2. The informal drawings are not of sufficient quality to permit examination. Accordingly, new drawings are required in reply to this Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit new drawings will result in **ABANDONMENT** of the application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23-30 are rejected under 35 U.S.C. 103(a) as being obvious over Goldszmidt et al (6,195,680) (hereinafter Goldszmidt) in view of Hagersten et al (5,829,033) (Hagersten).

5. As per claim 23 Goldszmidt teaches a method operating a distributed processing system having a network coupling a multiplicity of Host distributed devices for processing workloads for the distributed processing system, a plurality of Client systems requesting processing of the workloads, and a Server system for selectively distributing the workloads from the plurality of Client systems for processing by the distributed processing system (col. 3 lines 12-21, col. 5 lines 55-63) comprising the steps of
- receiving a request by the Server system from one of the plurality of Client systems to use the distributed processing system to process a first workload (col. 3 lines 12-21, col. 4 lines 54-65);
- sending the first workload to a first Host distributed device selected from the multiplicity of Host distributed devices (col. 5 lines 33-47). Goldszmidt does not specifically teach the use of a data address index.

Hagersten teaches a method of accessing the first data from a first data address selected from the one or more data addresses in the index (col. 24 lines 17-23, col. 7 lines 18-29, col. 11 lines 14-21); and

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sending to the first Host distributed device an index of one or more data addresses

defining a location of first data required to process the first workload (col. 8 lines 4-20, col. 24 lines 17-23, col. 7 lines 18-29)

updating the index to include a storage address of storage coupled to the first Host distributed device as a location of the first data (col. 36 lines 36-40, col. 7 lines 18-30). It would have been obvious to one skilled in the art to combine the teachings of Goldszmidt and Hagersten in order to identify different data addresses. By having different address the user is able to keep track of each process and monitor different workloads within the system.

6. As per claim 24, Hagersten teaches a method wherein the multiplicity of Host distributed devices are coupled to the network in response to an incentive supplied by the Server system (col. 4 lines 40-50).
7. As per claim 25, Hagersten teaches a method wherein the incentive defines an advantage for the multiplicity of Host distributed devices to couple to the network (col. 4 lines 40-50).
8. As per claim 26, Goldszmidt teaches a method wherein the first Host distributed device is selected to process the first workload in response to capability values of a capability

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vector for the first system stored in a capability database coupled to the server system
(col. 5 lines 55-64).

9. As per claim 27, Hagersten teaches a method wherein the first Host distributed device is selected to process the first workload in part because a data address for the first data required to process the first workload in the index corresponds to a storage address for accessing storage coupled to the first Host distributed device (col. 7 lines 18-30).

10. As per claim 28 Goldszmidt teaches distributed data processing system comprising: a multiplicity of Host distributed devices coupled to a network such that the Host distributed devices process workloads for the distributed processing system (col. 3 lines 12-21, col. 5 lines 55-63);

a Server system coupled to the network for distributing workloads to selected of the multiplicity of Host distributed devices (col. 5 lines 55-64);

a database coupled to the Server system for storing capability vectors having capability values defining an ability of each of the multiplicity of Host processing devices has for processing workloads for the distributed processing system (col. 17 lines 45-60, col. 5 lines 55-64). Goldszmidt does not specifically teach the use of a data address index.

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an index stored in the database having one or more storage addresses defining storage locations for accessing data required to process workloads for the distributed processing system(col. 24 lines 17-23, col. 7 lines 18-29, col. 11 lines 14-21);

circuitry for accessing first data required for a first workload by a first Host distributed device processing the first workload using an address of the first data stored in the index, wherein the first Host distributed device stores the first data at a first data address when processing the first workload (col. 8 lines 4-20, col. 24 lines 17-23, col. 7 lines 18-29) and

circuitry in the first Host distributed device for automatically updating the index in the database to include the first data address as a location for the first data(col. 36 lines 36-40, col. 7 lines 18-30).

11. As per claim 29, Goldszmidt teaches computer program product operating within a Server system managing a distributed processing system, wherein the Server system is coupled to a network, the network configured to enable the Server system to be coupled to a multiplicity of Host distributed devices for processing workloads for the distributed processing (col. 3 lines 12-21, col. 5 lines 55-63) system, the program product comprising a program of instructions for performing the program steps of:

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configuring a database in storage coupled to the Server system for storing and accessing capability vectors have capability values defining an ability each of the multiplicity of Host distributed devices has for processing workloads for the distributed processing system (col. 5 lines 55-64). Goldszmidt does not specifically teach the use of a data address index.

configuring an index in the database for storing addresses defining locations of data required to process each workload the Server system submits to the distributed processing system for processing(col. 24 lines 17-23, col. 7 lines 18-29, col. 11 lines 14-21);;

sending storage addresses of first data required to process a first workload for from the index to a first Host distributed device when the first Host distributed device is selected to process the first workload(col. 8 lines 4-20, col. 24 lines 17-23, col. 7 lines 18-29);

and updating the index with a storage address of the first data within storage coupled to the first Host distributed device when the first Host distributed device is selected to process the first workload (col. 36 lines 36-40, col. 7 lines 18-30).

12. Claim 30 is rejected based on claim 23 above.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh R Shah whose telephone number is 703-305-8105.

The examiner can normally be reached on Monday-Friday 8am-4pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NS

May12, 2004


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